## IN THE DISTRICT COURT OF THE UNITED STATES FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION

CALVIN R. LUCKEY and wife, PEGGY G.	C. A. No. 3:98cv394-T
LUCKEY, et al.,	)
This document pertains to:	
THEODORE BALLARD JR.; FLOYD J.	
BOWMAN; WILLIE J. BURT, JR.;	
CLEMENT "Ray" KEENE and wife,	
BARBARA JO DEATHERAGE KEENE;	)
CLARENCE LUCKEY, SR.; JUDY HORNE	
MARTIN, Individually and as Executrix of the	
Estate of Ray E. Martin, Deceased; GENE A	
SHIRES and wife, HELEN SHIRES; JOHN	
WESLEY SMITH and wife, BETTY M.	)
SMITH; ROGER FRANKLIN THOMAS and )	)
wife, ELLA SHINN THOMAS; DONNIE I.	)
BAILEY; MARGARET A. BIGHAM,	)
Individually and as Personal Representative of	)
the Estate of ROTHELLE E. BINGHAM,	
Deceased; HAZEL S. BOONE, Individually	)
and as Executrix of the Estate of Billy H.	)
Boone, Deceased; RAYMOND L. MOORE;	)
JIMMY W. NEAL, SR. and wife, DOREEN K. )	)
NEAL; JOHN A. NOBLE III and wife,	
WENDY ROBIN HASTINGS NOBLE;	
WILLIAM E. SMITH; WALTER D.	
THOMPSON; RICHARD ALLEN JONES and)	
wife, JUDY ANN FINK JONES; KENNETH	)
G. SMITH and wife, MARGARET SMITH;	
DAVID R. TURNER; DAVID R. WHITESIDE,)	
SR. and wife, LINDA L. WHITESIDE, and	
<b>DOROTHY YOUNT, as Administrator of the</b>	
Estate of VICTOR E. YOUNT, deceased,	
Plaintiffs,	
<b>v.</b>	
ACandS, INC., et al.	
Defendants.	

## **ORDER OF DISMISSAL**

**THIS MATTER** is before the Court on the consent of the captioned Plaintiffs and Defendant, National Service Industries, Inc., (formerly known as North Brothers Company), to

dismiss without prejudice, all claims of said Plaintiffs against Defendant National Service Industries, Inc.

It appearing that all parties have consented to the relief requested herein,

IT IS, THEREFORE, ORDERED, ADJUDGED, and DECREED that the claims of the captioned Plaintiffs, against Defendant, National Service Industries, Inc., are HEREBY DISMISSED WITHOUT PREJUDICE.

Signed: July 9, 2007

Lacy H. Thornburg

United States District Judge

s/James D. Gandy, III

James D. Gandy, III

Pierce, Herns, Sloan & McLeod, LLC 321 East Bay Street Charleston, SC 29413

Attorney for Defendant National Service Industries, Inc.

## WE CONSENT:

s/ Janet Ward Black

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Greensboro, NC 27401
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Attorneys for Plaintiffs